

30-day period, the Administrator receives a correctly submitted TR NO<sub>x</sub> Ozone Season allowance transfer under § 97.522 to the account or a statement submitted by the authorized account representative or alternate authorized account representative demonstrating to the satisfaction of the Administrator good cause as to why the account should not be closed.

(d) *Account identification.* The Administrator will assign a unique identifying number to each account established under paragraph (a), (b), or (c) of this section.

(e) *Responsibilities of authorized account representative and alternate authorized account representative.* After the establishment of a compliance account or general account, the Administrator will accept or act on a submission pertaining to the account, including, but not limited to, submissions concerning the deduction or transfer of TR NO<sub>x</sub> Ozone Season allowances in the account, only if the submission has been made, signed, and certified in accordance with §§ 97.514(a) and 97.518 or paragraphs (c)(2)(ii) and (c)(5) of this section.

**§ 97.521 Recordation of TR NO<sub>x</sub> Ozone Season allowance allocations and auction results.**

(a) By November 7, 2011 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, March 26, 2012, the Administrator will record in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source in accordance with § 97.511(a) for the control period in 2012.

(b) By November 7, 2011 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, March 26, 2012, the Administrator will record in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source in accordance with § 97.511(a) for the control period in 2013, unless the State in which the source is located notifies the Administrator in writing by October 17, 2011 or, with regard to TR NO<sub>x</sub> Ozone Season units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin,

March 6, 2012 of the State's intent to submit to the Administrator a complete SIP revision by April 1, 2012 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, October 1, 2012 meeting the requirements of § 52.38(b)(3)(i) through (iv) of this chapter.

(1) If, by April 1, 2012 or, with regard to TR NO<sub>x</sub> Ozone Season units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, by October 1, 2012, the State does not submit to the Administrator such complete SIP revision, the Administrator will record by April 15, 2012 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, October 15, 2012 in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source in accordance with § 97.511(a) for the control period in 2013.

(2) If the State submits to the Administrator by April 1, 2012 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, October 1, 2012, and the Administrator approves by October 1, 2012 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, April 1, 2013, such complete SIP revision, the Administrator will record by October 1, 2012 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, April 1, 2013 in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source as provided in such approved, complete SIP revision for the control period in 2013.

(3) If the State submits to the Administrator by April 1, 2012 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, October 1, 2012, and the Administrator does not approve by October 1, 2012 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, April 1, 2013, such complete SIP revision, the Administrator will record by October 1, 2012 or, with regard to units in Iowa, Michigan, Missouri, Oklahoma, and Wisconsin, April 1, 2013 in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone

Season units at the source in accordance with § 97.511(a) for the control period in 2013.

(c) By July 1, 2013, the Administrator will record in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source, or in each appropriate Allowance Management System account the TR NO<sub>x</sub> Ozone Season allowances auctioned to TR NO<sub>x</sub> Ozone Season units, in accordance with § 97.511(a), or with a SIP revision approved under § 52.38(b)(4) or (5) of this chapter, for the control period in 2014 and 2015.

(d) By July 1, 2014, the Administrator will record in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source, or in each appropriate Allowance Management System account the TR NO<sub>x</sub> Ozone Season allowances auctioned to TR NO<sub>x</sub> Ozone Season units, in accordance with § 97.511(a), or with a SIP revision approved under § 52.38(b)(4) or (5) of this chapter, for the control period in 2016 and 2017.

(e) By July 1, 2015, the Administrator will record in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source, or in each appropriate Allowance Management System account the TR NO<sub>x</sub> Ozone Season allowances auctioned to TR NO<sub>x</sub> Ozone Season units, in accordance with § 97.511(a), or with a SIP revision approved under § 52.38(b)(4) or (5) of this chapter, for the control period in 2018 and 2019.

(f) By July 1, 2016 and July 1 of each year thereafter, the Administrator will record in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source, or in each appropriate Allowance Management System account the TR NO<sub>x</sub> Ozone Season allowances auctioned to TR NO<sub>x</sub> Ozone Season units, in accordance with § 97.511(a), or with a SIP revision approved under § 52.38(b)(4) or (5) of this chapter, for the control period in the fourth year

after the year of the applicable recordation deadline under this paragraph.

(g) By August 1, 2012 and August 1 of each year thereafter, the Administrator will record in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source, or in each appropriate Allowance Management System account the TR NO<sub>x</sub> Ozone Season allowances auctioned to TR NO<sub>x</sub> Ozone Season units, in accordance with § 97.512(a)(2) through (8) and (12), or with a SIP revision approved under § 52.38(b)(4) or (5) of this chapter, for the control period in the year of the applicable recordation deadline under this paragraph.

(h) By August 1, 2012 and August 1 of each year thereafter, the Administrator will record in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source in accordance with § 97.512(b)(2) through (8) and (12) for the control period in the year of the applicable recordation deadline under this paragraph.

(i) By November 15, 2012 and November 15 of each year thereafter, the Administrator will record in each TR NO<sub>x</sub> Ozone Season source's compliance account the TR NO<sub>x</sub> Ozone Season allowances allocated to the TR NO<sub>x</sub> Ozone Season units at the source in accordance with § 97.512(a)(9) through (12), for the control period in the year of the applicable recordation deadline under this paragraph.

(j) By the date on which any allocation or auction results, other than an allocation or auction results described in paragraphs (a) through (i) of this section, of TR NO<sub>x</sub> Ozone Season allowances to a recipient is made by or are submitted to the Administrator in accordance with § 97.511 or § 97.512 or with a SIP revision approved under § 52.38(b)(4) or (5) of this chapter, the Administrator will record such allocation or auction results in the appropriate Allowance Management System account.

(k) When recording the allocation or auction of TR NO<sub>x</sub> Ozone Season allowances to a TR NO<sub>x</sub> Ozone Season unit

or other entity in an Allowance Management System account, the Administrator will assign each TR NO<sub>x</sub> Ozone Season allowance a unique identification number that will include digits identifying the year of the control period for which the TR NO<sub>x</sub> Ozone Season allowance is allocated or auctioned.

[76 FR 48406, Aug. 8, 2011, as amended at 76 FR 80777, Dec. 27, 2011]

**§ 97.522 Submission of TR NO<sub>x</sub> Ozone Season allowance transfers.**

(a) An authorized account representative seeking recordation of a TR NO<sub>x</sub> Ozone Season allowance transfer shall submit the transfer to the Administrator.

(b) A TR NO<sub>x</sub> Ozone Season allowance transfer shall be correctly submitted if:

(1) The transfer includes the following elements, in a format prescribed by the Administrator:

(i) The account numbers established by the Administrator for both the transferor and transferee accounts;

(ii) The serial number of each TR NO<sub>x</sub> Ozone Season allowance that is in the transferor account and is to be transferred; and

(iii) The name and signature of the authorized account representative of the transferor account and the date signed; and

(2) When the Administrator attempts to record the transfer, the transferor account includes each TR NO<sub>x</sub> Ozone Season allowance identified by serial number in the transfer.

**§ 97.523 Recordation of TR NO<sub>x</sub> Ozone Season allowance transfers.**

(a) Within 5 business days (except as provided in paragraph (b) of this section) of receiving a TR NO<sub>x</sub> Ozone Season allowance transfer that is correctly submitted under § 97.522, the Administrator will record a TR NO<sub>x</sub> Ozone Season allowance transfer by moving each TR NO<sub>x</sub> Ozone Season allowance from the transferor account to the transferee account as specified in the transfer.

(b) A TR NO<sub>x</sub> Ozone Season allowance transfer to or from a compliance account that is submitted for recordation after the allowance transfer dead-

line for a control period and that includes any TR NO<sub>x</sub> Ozone Season allowances allocated for any control period before such allowance transfer deadline will not be recorded until after the Administrator completes the deductions from such compliance account under § 97.524 for the control period immediately before such allowance transfer deadline.

(c) Where a TR NO<sub>x</sub> Ozone Season allowance transfer is not correctly submitted under § 97.522, the Administrator will not record such transfer.

(d) Within 5 business days of recordation of a TR NO<sub>x</sub> Ozone Season allowance transfer under paragraphs (a) and (b) of the section, the Administrator will notify the authorized account representatives of both the transferor and transferee accounts.

(e) Within 10 business days of receipt of a TR NO<sub>x</sub> Ozone Season allowance transfer that is not correctly submitted under § 97.522, the Administrator will notify the authorized account representatives of both accounts subject to the transfer of:

(1) A decision not to record the transfer, and

(2) The reasons for such non-recordation.

**§ 97.524 Compliance with TR NO<sub>x</sub> Ozone Season emissions limitation.**

(a) *Availability for deduction for compliance.* TR NO<sub>x</sub> Ozone Season allowances are available to be deducted for compliance with a source's TR NO<sub>x</sub> Ozone Season emissions limitation for a control period in a given year only if the TR NO<sub>x</sub> Ozone Season allowances:

(1) Were allocated for such control period or a control period in a prior year; and

(2) Are held in the source's compliance account as of the allowance transfer deadline for such control period.

(b) *Deductions for compliance.* After the recordation, in accordance with § 97.523, of TR NO<sub>x</sub> Ozone Season allowance transfers submitted by the allowance transfer deadline for a control period in a given year, the Administrator will deduct from each source's compliance account TR NO<sub>x</sub> Ozone Season allowances available under paragraph (a) of this section in order to determine whether the source meets the TR NO<sub>x</sub>